

House File 2303 - Introduced

HOUSE FILE 2303

BY LENSING

A BILL FOR

1 An Act relating to electronic voter registration by requiring
2 the implementation of a statewide electronic voter
3 registration system.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 47.7, Code 2016, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 3. *a.* The state registrar of voters shall,
4 in consultation with the state voter registration commission
5 and the department of transportation, implement in a uniform
6 and nondiscriminatory manner, a single, official, centralized,
7 interactive, statewide electronic voter registration system,
8 accessible to the public through an internet site created and
9 maintained by the state registrar of voters. The internet site
10 shall allow an applicant who is an eligible elector qualified
11 to register to vote under section 48A.5, subsection 2, to
12 submit a completed electronic voter registration form under
13 section 48A.11. The internet site shall allow an applicant
14 to elect to provide one of any form of electronic signatures
15 consistent with the definition of that term in section 48A.13.
16 The internet site shall, at least to the extent required,
17 be created and maintained in compliance with the federal
18 Rehabilitation Act of 1973, title II of the federal Americans
19 with Disabilities Act of 1990, and the federal ADA Amendments
20 Act of 2008.

21 *b.* An eligible elector who registers to vote through the
22 interactive statewide electronic voter registration system and
23 who has not previously voted in an election for federal office
24 in the county of registration shall be treated as a registrant
25 by mail and is subject to the provisions of section 48A.8,
26 subsections 2, 3, and 4.

27 *c.* A county commissioner of registration may obtain
28 immediate electronic access to the information contained in the
29 statewide electronic voter registration system for the purposes
30 of registering an applicant to vote. The state registrar
31 shall provide such support as may be required to enable county
32 commissioners of registration to electronically access the
33 information on the statewide electronic voter registration
34 system on an expedited basis.

35 *d.* The state registrar shall prescribe by rule the

1 procedures for access to the statewide electronic voter
2 registration system, security requirements, and access
3 protocols for adding, changing, or deleting information from
4 the statewide electronic voter registration system.

5 Sec. 2. Section 48A.9, Code 2016, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 3A. A registration form submitted through
8 the statewide electronic voter registration system implemented
9 pursuant to section 47.7, subsection 3, shall be considered on
10 time if it is submitted to the system prior to 12:00 midnight
11 on the day after the last day to register to vote for an
12 election.

13 Sec. 3. Section 48A.13, Code 2016, is amended to read as
14 follows:

15 **48A.13 Electronic signatures on voter registration records.**

16 Electronic signatures shall be accepted. However,
17 before the use of electronic signatures is accepted on voter
18 registration forms, the state voter registration commission
19 shall prescribe by rule the technological requirements
20 for guaranteeing the security and integrity of electronic
21 signatures. For the purposes of this section, "electronic
22 signatures" includes each of the following:

23 1. An electronic signature provided in a manner consistent
24 with the definition of that term in section 554D.103.

25 2. An electronic signature obtained from the department of
26 transportation pursuant to section 48A.36.

27 3. A tangible symbol that evidences the signing of the
28 applicant's name that is uploaded by the applicant in an
29 electronic medium.

30 Sec. 4. Section 48A.26, subsections 4 and 5, Code 2016, are
31 amended to read as follows:

32 4. If the registrant applied by mail or through the
33 statewide electronic voter registration system implemented
34 pursuant to section 47.7, subsection 3, to register to vote
35 and did not answer either "yes" or "no" to the question in

1 section 48A.11, subsection 3, paragraph "a", the application
 2 shall be processed. If the application is complete and proper
 3 in all other respects and information on the application is
 4 verified, as required by [section 48A.25A](#), the applicant shall
 5 be registered to vote and sent an acknowledgment.

6 5. If the registrant applied by mail or through the
 7 statewide electronic voter registration system implemented
 8 pursuant to section 47.7, subsection 3, to register to vote and
 9 answered "no" to the question in [section 48A.11, subsection 3](#),
 10 paragraph "a", the application shall not be processed. The
 11 acknowledgment shall advise the applicant that the registration
 12 has been rejected because the applicant indicated on the
 13 registration form that the applicant is not a citizen of the
 14 United States.

15 EXPLANATION

16 The inclusion of this explanation does not constitute agreement with
 17 the explanation's substance by the members of the general assembly.

18 This bill relates to electronic voter registration. The
 19 bill requires the state registrar of voters (secretary of
 20 state) to implement a statewide electronic voter registration
 21 system (system) and requires that certain electronic signatures
 22 be accepted for voter registration purposes.

23 The secretary of state is required to implement a single,
 24 official, centralized, interactive system in consultation with
 25 the state voter registration commission and the department
 26 of transportation. The bill requires that the system be
 27 accessible to the public through an internet site created and
 28 maintained by the secretary of state. The internet site shall
 29 allow an applicant who is qualified to register to vote to
 30 submit a completed electronic voter registration application
 31 form. The internet site is required to be created and
 32 maintained in compliance with the federal Rehabilitation Act of
 33 1973, title II of the federal Americans with Disabilities Act
 34 (ADA) of 1990, and the federal ADA Amendments Act of 2008.

35 The internet site is also required to allow an applicant

1 to elect to provide any one of three forms of electronic
2 signatures, including: (1) An electronic sound, symbol, or
3 process attached to or logically associated with a record
4 and executed or adopted by a person with the intent to sign
5 the record; (2) An electronic signature obtained from the
6 department of transportation; and (3) A tangible symbol that
7 evidences the signing of the applicant's name that is uploaded
8 by the applicant in an electronic medium.

9 Under the bill, a county commissioner of registration
10 (county auditor) is permitted to obtain immediate electronic
11 access to the information contained in the system for
12 the purposes of registering an applicant to vote and the
13 applicant's registration is considered to be the date that the
14 applicant submits a completed application through the system.
15 The bill also requires the secretary of state to provide
16 technical support to county auditors.

17 Under the bill, an eligible elector who registers to vote
18 through the interactive statewide electronic voter registration
19 system and who has not previously voted in an election for
20 federal office is required to be treated in the same manner as
21 a registrant by mail, by being required to present or provide
22 photocopies of specified identification or documents. Also in
23 the same manner as a registrant by mail, the ballot of a voter
24 is considered to be a provisional ballot if the voter fails
25 to provide identification or documentation. The bill makes
26 additional conforming provisions related to acknowledgments
27 mailed upon receipt of registration forms.